

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

JEFFREY J. LIMLEY,

Defendant.

8:06CR73

ORDER

This matter is before the court on defendant Jeffrey J. Limley's (Limley) motion for a continuance of trial (Filing No. 17). The motion was held in abeyance pending a filing of an affidavit by Limley acknowledging his rights under the Speedy Trial Act and waiving those rights. Limley appeared before the court on May 15, 2006, on a Petition for Action on Conditions of Pretrial Release (Filing No. 19). During the hearing, Limley, through counsel renewed his motion to continue trial. The court inquired of Limley on the record as to his consent to the motion and his waiver of his Speedy Trial Act rights. Limley agreed to the motion and waived his rights under the Speedy Trial Act. Accordingly, Limley's motion to continue trial will be granted.

IT IS ORDERED:

1. Limley's motion for a continuance of trial (Filing No. 19) is granted.
2. Trial of this matter is set to commence before Judge Laurie Smith Camp and a jury at 8:30 a.m. on July 5, 2006, in Courtroom No. 2, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **from May 15, 2006 through July 5, 2006**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendant's counsel requires additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 16th day of May, 2006.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge